

APR 06 2001

Mr. Leo Winternitz, Executive Director  
City-County Office of Metropolitan Water Planning  
660 J Street, Suite 260  
Sacramento, California 95814

Dear Mr. Winternitz:

I am pleased to return to you the signed originals of the Memorandum of Understanding between the City of Sacramento on behalf of the City-County Office of Metropolitan Water Planning and Department of Water Resources.

We are pleased to have reached this agreement, and look forward to working cooperatively with your organization to evaluate and implement groundwater management and conjunctive use programs and projects in the South Area.

If you have any questions regarding the MOU or any other aspects of DWR's involvement, please contact me at (916) 327-1770, or John Woodling at (916) 445-1582.

Sincerely,

Original Signed by  
Mark Meeks

Mark Meeks, Chief  
Conjunctive Water Management Branch  
Division of Planning and Local Assistance

Enclosures

cc: Mr. Jim McCormack  
City-County Office of Metropolitan Water Planning  
660 J Street, Suite 260  
Sacramento, California 95814

Mr. Robert P. Thomas, City Manager  
City of Sacramento  
915 I Street  
Sacramento, California 95814

JWoodling:Stephanie Davis/ Josie Kamal

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Spell check March 28, 2001

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# MEMORANDUM OF UNDERSTANDING

## TO WORK COOPERATIVELY TO IMPLEMENT CONJUNCTIVE USE PROJECTS AND PROGRAMS IN THE SACRAMENTO AREA

This Memorandum of Understanding (MOU) is entered into this 21<sup>ST</sup> day of March, 2001, by and between the California Department of Water Resources (DWR) and the City of Sacramento (City) on behalf of the Sacramento City/County Office of Metropolitan Water Planning (CCOMWP), referred to collectively hereinafter as "the Parties".

### RECITALS

- A. The California State Legislature (Legislature) has determined that the conjunctive management of surface water and groundwater is an effective way to improve the reliability of water supplies for all sectors of the State of California.
- B. The Legislature has directed DWR to facilitate and support local surface water and groundwater conjunctive management efforts. Of particular interest are those projects that increase dry-year water supplies while simultaneously providing management and protection of local water resources.
- C. The Legislature has appropriated funds to facilitate and support local surface water and groundwater conjunctive management efforts through the "Surface and Ground Water Conjunctive Management" element of the CALFED "Integrated Storage Investigations Program".
- D. DWR has initiated a three-phase process to implement the Surface and Ground Water Conjunctive Management element. **Phase I** involves formation of local advisory panels comprised of civic and technical leaders, and other interested participants to develop feasible conjunctive use alternatives, bring stakeholders together, and provide a forum for sharing information. **Phase II** is anticipated to involve implementation of groundwater monitoring programs, groundwater modeling efforts, and conjunctive use demonstration projects (in some areas Phases I and II will be undertaken simultaneously). **Phase III** may involve full-scale project implementation.
- E. The Sacramento-Area Water Forum (Water Forum) is a diverse group of business and agricultural leaders, citizens groups, environmentalists, water managers, and local governments in the Sacramento countywide area. This group determined in 1993 that without action the region faced imminent water shortages, environmental degradation, groundwater overdraft and contamination, and limited economic prosperity.
- F. After six years of intense technical study and stakeholder negotiation, the Water Forum developed a comprehensive package of linked actions to achieve two co-equal objectives: 1) provide a reliable and safe water supply for the region's economic health and planned development to the year 2030 and 2) preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River. This

package of linked actions, referred to as the *Water Forum Agreement*, prescribes a regional conjunctive use program for enhancing water supply reliability and operational flexibility. The *Water Forum Agreement* recognized hydrologic, land use, and other geographic differences, and separated the groundwater basin into three sub-areas for further negotiations, the north, south, and Galt areas, respectively.

- G. A Programmatic Environmental Impact Report for the *Water Forum Agreement* has been certified.
- H. One of the *Water Forum Agreement's* seven major elements is the Groundwater Management Element. The Groundwater Management Element provided for further negotiations by the Water Forum Successor Effort for a groundwater management arrangement for the south area within Sacramento County (generally the area located between the American River on the north, the Sacramento river on the west, the Cosumnes River on the south, and the eastern foothills on the east).
- I. Water interests in the south area include the City of Sacramento, the County of Sacramento, the Southern California Water Company, the Florin County Water District, Citizens Water Resources, the Fruitridge Vista Water Company, the Omochumne-Hartnell Water District, the Florin Resource Conservation Service (Elk Grove Water Works), agricultural groundwater users, and self-supplied residential, commercial, industrial, and governmental groundwater users.
- J. The Parties recognize the potential for conjunctive management of groundwater and surface water resources in the south area.
- K. After completion of the current groundwater management arrangement negotiations, the Parties are willing to explore the feasibility of increasing the availability of dry-year supplies through implementation of a regional conjunctive use program as envisioned in the *Water Forum Agreement*.

## ARTICLES

**NOW, THEREFORE**, in consideration of the foregoing recitals and the mutual covenants and conditions contained herein, the Parties agree as follows:

- 1. The Parties agree to work cooperatively to negotiate a groundwater management arrangement for the south area within Sacramento County, and to explore the potential for conjunctive management of groundwater and surface water resources.
- 2. Specific efforts to be completed cooperatively by the Parties include:
  - a. Identify and convene stakeholders for negotiations leading to a groundwater management program and institutional authority, including identification of basin management objectives.
  - b. Conduct an educational effort to establish a common understanding of the groundwater basin conditions among stakeholders.
  - c. Conduct a preliminary assessment of the groundwater basin, identifying the potential for conjunctive use.

3. When agreement is reached on completion of the activities described in Article 2 of this MOU, other activities to be completed cooperatively may include implementation of a groundwater monitoring and data management program and evaluation of the feasibility of specific conjunctive use projects and programs. Subsequent phases will be addressed in subsequent agreements.
4. The Parties will share all data, technical analyses, conclusions, and findings developed through the course of implementing this MOU.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the day and year first written above.

**CITY OF SACRAMENTO**  
Municipal Corporation

By: \_\_\_\_\_

Robert P. Thomas, City Manager

**CALIFORNIA DEPARTMENT OF WATER RESOURCES**

By: \_\_\_\_\_

Approved as to legal form  
and sufficiency:

\_\_\_\_\_  
Asst. Chief Counsel, DWR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY